

Abstract

This diploma thesis deals with the issue of a status of individual professional athlete. This issue seems to be easy to resolve as the legal doctrine unanimously classifies individual professional athletes as self-employed. However, further examination provides more detailed view and illustrates the issue is not as unambiguous as one might assume. Thus the aim of the thesis was to analyse the status and sports activity performance of individual professional athlete both theoretically and practically. The analysis of the sports activity performance of single individual professional athletes points out that their performances are different to a great extent. The sports activity performance of some athletes can be even without any doubt considered as a dependent work in terms of labour law. It results in fact that some of individual professional athletes conducts sports activity as self-employed, some of them are employees and some of them even professional soldiers. Every single legal status is connected with various benefits but also with some difficulties. In addition, according to predominant practice and regardless on the nature of their sports activity performance athletes are free to choose their legal status.

The thesis also partly concentrates on complex issue of civil liability of athletes for sports injuries especially in connection with the athlete's status. The status is crucial for the duty to provide compensation to another for harm on the one hand and for the claim to obtain such a compensation on the other hand.

The penultimate chapter of this thesis focuses on the issue of the status of individual professional athletes in foreign countries, namely in the Federal Republic of Germany and Slovak Republic. Both countries have adopted interesting institutes which seems to be useful to adopt in the Czech Republic too.

The conclusions are drawn in the final part of this thesis. Author firstly summarizes all the chapters and subsequently argues for that the athletes should perform their sports activity under the status which would be more appropriate to the nature of their real sports activity performance. Thus the freedom of individual professional athletes to choose the status would be restricted but it would provide reasonable combination of flexibility and security for every single athlete. That seems to be more just in comparison to “common” self-employed and employees. Author also provides a few legislative recommendations in the final part.